

REMARKS

Claims 1, 4-6 and 25-31 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Lin in view of Irving.

The applicants had reduced the instant invention to practice before the effective date of the Lin patent (US 5,893,748). A declaration is enclosed under C.F.R 1.131 along with evidence showing the data derived from completed experiments according to the instant invention. The examiner is directed to MPEP 715.09 which states in part that declarations submitted under 37 C.F.R. 1.131 are considered timely after final rejection if submitted with a first reply after final rejection for the purpose of overcoming a new ground of rejection. The use of the Lin patent as prior art represents such a rejection and it is requested that the examiner enter the enclosed declaration. As such the Lin patent is removed as a valid reference for claims 1, 4-6, and 25-31. Because the Irving patent (US 3,837,856) does not contain each and every element of the instant invention, it cannot stand by itself as a valid reference for claims 1, 4-6, and 25-31. Claims 1, 4-6, and 25-31 are therefore believed to be allowable. no

Hence, the application is in allowable form and the claims distinguished over the cited references. Applicants respectfully request reconsideration and allowance of claims 1, 4-6, and 25-31.

Respectfully submitted,



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